

## CHAPTER 75.

## CLASSIFICATION OF RAILWAYS.

H. F. 804.

AN ACT to repeal the law as it appears in section two thousand and seventy-eight (2078) of the code and enact a substitute therefor, and providing for the classification of railways

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Repealed—classification of railways.** The law as it appears in code section two thousand and seventy-eight (2078) is hereby repealed and the following enacted in lieu thereof:

“The executive council shall at its regular meeting on the second Monday in July in each year classify the different railways, as provided by section two thousand and seventy-six (2076) of the code, from information as to gross earnings obtained from the annual reports of railways made to the executive council for assessment and taxation, if it shall be satisfied of the correctness of same, or from information obtained by said executive council from any other source, and, when there shall be any change in classification, shall issue a certificate to any corporation or corporations affected by such change, certifying the class to which they are respectively assigned; any change of rates by any corporation pursuant to any change of classification shall take effect and be in force from and after the date of such certificate.”

Approved March 30, A. D. 1904.

## CHAPTER 76.

## REQUIRING COMMON CARRIERS TO ISSUE TRANSPORTATION TO LIVE STOCK SHIPPERS.

H. F. 266.

AN ACT to require common carriers to issue transportation to owners shipping live stock, additional to chapter seven (7), title ten (X), of the code, relating to the regulation of common carriers.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Transportation—conditions.** On and after May 1, 1904, common carriers of live stock, in car load lots, upon receiving, in this state, for shipment one or more car loads of horses or mules or two or more car loads of other live stock, shall upon demand of the owner of such animals offered for shipment, issue to such owner, or the actual agent or employe of such owner, without other consideration transportation from the place of receiving such shipment to the place of destination, and return, such transportation to be limited to one person for each shipment, as is above set out. When a single shipment aggregates six cars or more, such owner shall be entitled, on demand, as is above provided, to transportation for one additional person, such additional person to be an actual agent or employe of such owner, and such common carrier shall in like manner and under similar conditions issue transportation for one person to destination of shipment only to the shipper of one car load of cattle hogs or sheep. The return transportation herein provided for is to be delivered, upon demand, at the office of the carrier at the place of destination, upon proper identification of the person so entitled to same, and shall be good for transportation if presented within forty-eight hours from the time of the delivery of such shipment at place of destination.

**SEC. 2. Penalty.** Any common carrier violating the above provisions shall forfeit and pay to the owner of any shipment, as is above provided, three times the amount of the regular fare expended by such owner for himself, or his agent, in going from point of shipment to point of destination, and return, of a shipment of stock as herein provided.

**SEC. 3. Trespasser.** Any person other than the owner, his agent or employe, as is described in section 1 hereof, attempting to use, or using, the transportation therein provided for, shall be considered a trespasser upon the trains or premises of such common carrier.

**SEC. 4. Water closets in cabooses.** That the cabooses or cars attached to such stock trains, and in which the holders of such transportation are required to ride when accompanying such live stock to market, shall be provided with suitable water closets for the use of such persons while in transit, provided that the provisions of this section shall not go into effect until January 1, 1905, and that all such railroads shall be allowed until said time to comply with the requirements of this section.

**SEC. 5. Penalty.** Any railroad in this state engaged in the transportation of live stock, and failing or refusing to comply with the requirements of the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars (\$100.00) for each day's negligence or refusal to comply therewith; and all moneys so collected as fines shall be paid into the public school funds of the state.

**SEC. 6. In effect.** This act, being deemed of immediate importance, shall take effect upon publication thereof in the "Register and Leader" and "Des Moines Daily Capital," newspapers published at the city of Des Moines, Polk county, Iowa.

Approved April 9, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader April 12, 1904, and the Des Moines Daily Capital, April 13, 1904.

W. B. MARTIN,  
Secretary of State.

## CHAPTER 77.

### THE MILITIA.

H. F. 216.

AN ACT additional to and amendatory of the law as it appears in chapter one (1) of title IX [eleven (XI)] of the code and supplement to the code, relative to the state military force and Iowa national guard. [Repealing sections twenty-one hundred and sixty-nine-a (2169 a), twenty-one hundred and seventy-three-a (2173-a), twenty-one hundred and seventy-five (2175), twenty-one hundred and seventy-six-a (2176-a), twenty-one hundred and seventy-eight (2178), twenty-one hundred and seventy-nine-a (2179-a), twenty-one hundred and eighty-one-a (2181-a), twenty-two hundred and twelve (2212), twenty-two hundred and thirteen (2213) and twenty-two hundred and fourteen (2214) of the supplement to the code and sections twenty-one hundred and eighty-three (2183), twenty-one hundred and eighty-four (2184) and twenty-one hundred and eighty-eight (2188) of the code, and enacting substitutes in lieu thereof.]

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Repealed—governor to call out.** That the law as it appears in section twenty-one hundred and sixty-nine-a (2169-a) of the supplement to the code be and the same is hereby repealed and re-enacted to read as follows:

"When a requisition shall be made by the president of the United States for troops, the governor, as commander-in-chief, shall order into service the national guard of the state, or such portion thereof as may be necessary, and if insufficient, so many of the militia as is required, designating the same by draft if a sufficient number do not volunteer, and shall commission officers therefor; and while so in the service, the national guard and militia shall be subject to the same regulations as those of the United States army,